

Appln. No. 09/914,047
Amndt. dated March 1, 2005
Reply to Office Action of Dec. 10, 2004

Remarks

This Amendment is being filed within the three (3) month time period for response to the Office Action of December 10, 2004. Accordingly, no fees are believed due and entry of this Amendment is respectfully requested.

Claims 1-18 were pending in this application. In the Office Action of December 10, 2004 the Examiner indicated that claims 1-15 were in condition for allowance, subject to the filing of a Terminal Disclaimer in view of U.S. Patent No. 5,950,568. Applicants wish to thank the Examiner for such indication of allowance. In addition, the Examiner indicated that claims 16-18 would be allowable, pending resolution of an interference with respect to U.S. Patent No. 6,408,797B2.

Since claims 1-15 were indicated to be in condition for allowance, subject to the filing of a Terminal Disclaimer, and in order to avoid having said claims delayed from issue due to the pending interference, Applicants have elected to cancel claims 1-15 from this application for the purpose of filing a continuation application. The continuation application containing claims 1-15 has therefore been filed simultaneously herewith.

In addition, in said continuation application, Applicants have provided the requested Terminal Disclaimer, and it is therefore believed that claims 1-15 should be found in condition for allowance in said continuation application. Applicants note all this information for Examiner Shaw herein as it is believed that the presently filed continuation application containing claims 1-15 is likely to be forwarded to Examiner Shaw's attention.

Accordingly, as remaining claims 16-18 are in condition for allowance, allowance is requested, and forwarding of this application to the interference division, for resolution of the pending interference.

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In the event there are any deficiencies, or additional fees are payable, please charge them
(or credit any overpayment) to our deposit account No. 50-2121.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on march 1, 2005 at Manchester, New Hampshire.

By: Carol McClelland
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